IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 16898 of 2005(J)

PETITIONER:

T.MOHANKUMAR,
TC.37/1716 (1), KALLAMPALLY STREET,
FORT, TRIVANDRUM.

BY ADV. SRI.V.G.ARUN

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), TRIVANDRUM.

2. THE TRIVANDRUM TALUK TAXI DRIVERS CO-OPERATIVE SOCIETY LTD.NO.T.723, REPRESENTED BY THE SECRETARY.

3. THE MANAGING COMMITTEE OF TRIVANDRUM TALUK TAXI DRIVERS CO-OPERATIVE SOCIETY LTD. NO.T.723, REPRESENTED BY ITS PRESIDENT, S.JAYANDRAN NAIR.

BY ADV. SRI.GEORGE POONTHOTTAM (FOR R2 & R3)
SRI.P.SUBAIR KUNJU
GOVERNMENT PLEADER, SRI.MANOJ.K.J

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE COMPLAINT IN CRL.M.P.75/2004 DATED 12-10-2004.

EXT. P2: COPY OF THE NOTICE NO.P(2)5760/04 DATED 25-10-2004.

EXT. P3: COPY OF THE ORDER IN W.P.(C) NO.31938/2004 DATED 3-11-2004.

EXT. P4: COPY OF THE ENQUIRY REPORT DATED 29-9-2004.

EXT. P5: COPY OF THE ORDER NO.P(2) 5750/05 DATED 31-1-2005.

EXT. P6: COPY OF THE REPORT SUBMITTED BY THE SUB COMMITTEE DATED 07.09.2002.

EXT. P7: COPY OF THE COMPLAINT FILED THE MEMBERS DATED 10-6-2004.

EXT. P8: COPY OF THE PETITION DATED NIL.

/TRUE COPY/

P.A. TO JUDGE

JP

KURIAN JOSEPH J.

W.P.(C) No.16898 of 2005

Dated 20th July, 2007.

J U D G M E N T

In the matter of proceedings under Section 32 of the Kerala Cooperative Societies Act, 1969, the first respondent Joint Registrar has passed Ext.P5 order. Since the petitioner has a remedy under Section 83 of the Kerala Cooperative Societies Act, it is not necessary for this Court to go into the factual disputes involved in this case. The writ petition is hence dismissed without prejudice to the liberty to the petitioner, if so advised, to pursue his statutory remedy of appeal before the Government. In the event of the petitioner pursuing the remedy as above, the period, the writ petition was pending before this Court will stand excluded while computing the period of limitation.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 20th July, 2007.